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RUEHFK/AMCONSUL FUKUOKA PRIORITY 6649  
RUEHNH/AMCONSUL NAHA PRIORITY 9041  
RUEHOK/AMCONSUL OSAKA KOBE PRIORITY 0322  
RUEHKS/AMCONSUL SAPPORO PRIORITY 7253  
RHMFISS/DEPT OF HOMELAND SECURITY IA WASHINGTON DC PRIORITY  
RHMFISS/FBI WASHDC PRIORITY  
RUEAWJA/JUSTICE DEPT WASHDC PRIORITY  
RHMFISS/US CUSTOMS AND BORDER PROTECTION WASHINGTON DC PRIORITY

C O N F I D E N T I A L TOKYO 000694

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STATE FOR EAP/J, INL, L/LEI, G/TIP  
JUSTICE FOR CEOS

E.O. 12958: DECL: 03/11/2018

TAGS: [PHUM](#) [KCRM](#) [KOCI](#) [PREL](#) [JA](#)

SUBJECT: AMBASSADOR AND MINISTER OF JUSTICE DISCUSS BANNING  
CHILD PORNOGRAPHY POSSESSION

Classified By: Ambassador J. Thomas Schieffer for reasons 1.4 (b) and (d)

¶1. (C) Summary: Child pornography is a rapidly growing and serious problem, the Ambassador told the Japanese Minister of Justice Kunio Hatoyama on March 11. Japan could have a dramatic impact on the child pornography market by criminalizing simple possession. Hatoyama agreed, saying that the suffering of the world's children demands that possession be prohibited. Hatoyama also requested Attorney General Mukasey's participation in the G8 Justice and Home Affairs Ministerial. End Summary.

Child pornography possession must be criminalized  
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¶2. (U) Ambassador J. Thomas Schieffer met with Minister of Justice Kunio Hatoyama on March 11 at the Minister's request to discuss criminalizing "simple possession" of child pornography in Japan. The United States is worried about the increasing spread of child pornography around the world, and believes a world-wide approach is necessary, the Ambassador observed. The problem has exploded because of the internet -- where deviants have created a large market for this material. Child pornography crimes always have a victim, the Ambassador emphasized, because children do not have the legal capacity to give consent. By outlawing its possession, Japan could have a dramatic impact on the market, decreasing the number of children who are violated. Although some persons may argue that criminalizing possession may compromise the right to privacy, the abuse that is taking place right now outweighs a hypothetical abuse that might occur with a new law. In addition, the United States and many other countries have all found ways to protect the right to privacy while still criminalizing simple possession. The United States hopes Japan can join the other countries of the developed world that have prohibited child pornography possession. The U.S. Embassy stands ready to help in any way possible, the Ambassador stated.

¶3. (C) Hatoyama replied that he "completely agrees" with the Ambassador and would support criminalizing simple possession. Pointing to the heavily underlined talking points in front of him, Hatoyama said, "this document from the Ministry of Justice doesn't say that, but it is my personal opinion that simple possession must be penalized to get to the foundation

of the crime." He then turned to Vice Minister of Justice Katsuyuki Kawai and said, "don't you agree?" Kawai, laughing, said he did. Child pornography is linked both to sexual abuse and to trafficking in persons, and the harm to a child can never be corrected -- once an image is posted, it cannot be retrieved. Simple possession must be penalized, Hatoyama repeated, pointing out that he had made a statement to that effect in the Diet.

Japan requests high-level U.S. participation in G8 JHA Ministerial

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14. (U) Hatoyama concluded the meeting by asking for Attorney General Mukasey's personal participation in the June G8 Justice and Home Affairs Ministerial.  
SCHIEFFER